

PATENT
068167.0105

Pursuant to 37 C.F.R. 1.8, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be transmitted to the U.S. Patent and Trademark Office by facsimile to facsimile number (703) 308-6916 on April 3, 2002.

R E gh
Signature

1-3-02
Date

FAX RECEIVED

APR 3 2002

PETITIONS OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Traut, Eric P.

Serial No.: 09/747,492

Filed: December 21, 2000

Invention: System and Method for the Logical §
Substitution of Processor Control in §
an Emulated Computing §
Environment §

Group No.: 2123

Examiner: Not Yet Assigned

Commissioner for Patents
Box DAC
Washington, D.C. 20231

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED
PATENT APPLICATION — ABANDONMENT FOR FAILURE
TO NOTIFY OF FOREIGN FILING
(37 C.F.R. 1.137(f))**

1. The above-referenced application was filed on December 21, 2000. Included with the application at the time of its filing was a Request for Nonpublication, which was acknowledge by the Office.

04/29/2002 AKELLEY 00000014 020383 09747492

01 FC:241 640.00 CH

2. On December 19, 2001, a patent application directed to the invention disclosed in the above-referenced application was filed under the Patent Cooperation Treaty, which is a multilateral international agreement that requires publication within eighteen months after filing.

3. On December 19, 2001, a Recision of Request for Nonpublication was filed in the above-referenced application. Although the Recision of Request for Nonpublication expressly requested that the previous Request for Nonpublication be rescinded, the Recision of Request for Nonpublication did not include an express notification that the invention of the above-referenced application had been submitted under a multilateral international agreement that requires publication within eighteen months after filing. *See* 35U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c). A copy of the Recision of Request for Nonpublication, together with a copy of the stamped post card is attached hereto.

4. More than 45 days have passed since the filing of the application under the Patent Cooperation Treaty.

5. If the above-referenced application is determined to be abandoned by the passage of 45 days from the date of the filing of the application under the Patent Cooperation Treaty without the filing of the notice required under 35U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c), please allow this paper to serve as a petition to revive the unintentionally abandoned patent application.

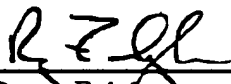
6. The failure to file the notice required under 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c) and any delay in the filing of the notice was unintentional. A notice under 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c) is included herewith.

7. The Office is authorized to charge deposit account no. 02-0383 of Baker Botts L.L.P. the fee associated with the filing of this petition. The petition fee of \$640.00 is set out in 37 C.F.R. 1.17. Small entity status has been established in this application.

8. Because this application was filed after June 8, 1995, a terminal disclaimer need not be accompany this petition.

9. If it is determined by the Office that the filing of this petition is unnecessary because the application has not gone abandoned, applicant requests that the Office notify applicant of this finding and charge applicant's deposit account, referenced above, for the fee necessary for the handling of this petition.

Respectfully submitted,



Roger Fulghum
Registration No. 39,678

Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, TX 77002-4995
(713) 229-1707
Attorney Docket No.: 068167.0105

Date: April 3, 2002

APR - 3 2002

PETITIONS OFFICE

RECEIVED

JAN - 4 2002

DAVE BOTT

DOCKETED

Papers filed herewith on: 12-19-01
 DOCKET NO.: 0681670105
 ATTY/SEC.: RE/ab
 APPLICANT(S): TRAUT
 USSN: 09/1747,492 FILED: 12-21-00
 PATNO.: _____

☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ Provisional
☐ Filing Under 37 CFR 1.63(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.114(RCE)
☐ Filing Under 37 CFR 1.53(d) (CPA) & _____ pages
☐ Specification Consisting _____
☐ Declaration
☐ Power of Attorney
☐ Assignment / Cover Letter
☐ Letter to Official Drafterman
☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink
☐ Priority Document(s) _____
☐ Amendment: _____
☐ Transm Ltr ☐ Large Entity ☐ Small Entity
☐ Response _____
☐ Information Discd Stmt. PTO-1449(s) _____ ref(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☐ FEES: _____
☒ Other: Recession of Reg. for Nonpubl

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case. COMMISSIONER FOR PATENTS

Due Date:

Express Mail Label N-

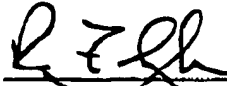
EL609946755US

PETITIONS OFFICE

Signature

Date _____

Respectfully submitted,



Roger Fulghum

Registration No. 39,678

Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, TX 77002-4995
(713) 229-1707
Attorney Docket No.: 068167.0105

Date: April 3, 2002

FROM BAKERBOTTSLLP
BAKER BOTTS LLP

Fax receipt will not be confirmed by phone unless requested.

(WED) 4. 3' 02 15:47/ST. 15:46/NO. 4860402646 P 1

ONE SHELL PLAZA
9101
HOUSTON, TEXAS
77002-4995
713.229.1234
FAX 713.229.1522
www.bakerbotts.com

AUSTIN
BAKU
DALLAS
HOUSTON
LONDON
NEW YORK
RIYADH
WASHINGTON

FAX RECEIVED

'APR - 3 2002

FROM Roger Fulghum
DATE April 3, 2002
PAGES 9 (including cover)

PETITIONS OFFICE

VOICE NO. (713) 229-1707
FAX NO. (713) 229-2707
RETURN TO Roger Fulghum

TO U.S. Patent and Trademark Office

FAX NO. (703) 308-6916
VOICE NO.

MESSAGE

Notice of Confidentiality

The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Baker Botts L.L.P. by telephone at 713.229.1730 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.

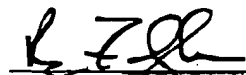
If you do not receive all pages, please call: 713.229.1730 or 713.229.1621 for assistance.

APR - 3 2002 PATENT

PETITIONS OFFICE

HOU03:820112.1

Respectfully submitted,



Roger Fulghum
Registration No. 39,678

Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, TX 77002-4995
(713) 229-1707
Attorney Docket No.: 068167.0105

Date: December 19, 2001